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Agenda item 112 (c)
Elections to fill vacancies in subsidiary organs and other elections: election of fifteen members of the Human Rights Council

Letter dated 7 January 2011 from the Permanent Representative of Botswana to the United Nations addressed to the Secretary-General

I have the honour to inform you of the decision of the Government of the Republic of Botswana to present Botswana's candidature to the Human Rights Council for the term 2011-2014 in respect of elections to be held by the General Assembly in May 2011.

In this connection and in accordance with General Assembly resolution 60/251, I have the further honour to forward herewith Botswana's pledges and commitments in the pursuit of the global human rights agenda (see annex).

Let me also use this opportunity to reaffirm my Government's commitment to use this membership to advance the promotion and protection of human rights as enshrined in the 1948 Universal Declaration of Human Rights as well as related treaties, conventions, protocols and international law.

(*Signed*) C. T. **Ntwaagae**
Ambassador
Permanent Representative

11-23439 (E) 220211

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Annex to the letter dated 7 January 2011 from the Permanent Representative of Botswana to the United Nations addressed to the Secretary-General

Botswana's voluntary pledges and commitments in support of its candidature for the Human Rights Council, 2011-2014

General policy on human rights

1. Botswana firmly believes in the universality, interdependence and interrelatedness of all human rights and fundamental freedoms, in line with the Universal Declaration of Human Rights, the Charter of the United Nations and all other international human rights instruments.

2. Botswana is strongly committed to the effective promotion, fulfilment and protection of basic human rights and fundamental freedoms, all of which are fully guaranteed by the Constitution of Botswana.

3. In an effort to facilitate equitable protection and full enjoyment of human rights, Botswana has progressively undertaken extensive administrative, policy and legislative reforms with a view to ensuring that its laws, policies and practices conform to the extent possible to international human rights standards and practices.

4. Botswana attaches great importance to principles of equality, social harmony, tolerance and non-discrimination. Botswana was among the countries which were in the forefront of the struggle against apartheid in the region, and in this regard, continues to play an active role in the strengthening of the rule of law and democracy, promotion of international peace and security and promotion and protection of human rights and fundamental freedoms at the national, regional and international levels.

5. Botswana reaffirms its strong support for the work of the United Nations human rights system, and continues to actively participate in all its activities within the Human Rights Council and at the General Assembly.

6. To this end, Botswana has consistently been firm and unequivocal in its deprecation of impunity, gross violation of human rights and crimes against humanity wherever and whenever they occur.

7. Botswana was a member of the Commission on Human Rights from 1988 to 1990 and from 1998 to 2000, and constructively contributed during its tenure to the advancement of work in the United Nations human rights system.

8. In light of the above, Botswana voluntarily makes the following pledges and commitments, in line with paragraph 8 of General Assembly resolution 60/251.

International commitments

9. Botswana has always done its utmost to uphold the highest standards in the promotion and protection of human rights, particularly with respect to fulfilling its obligations to the respective human rights instruments. Consistent with its commitment to the promotion and protection of human rights, and the need for Member States to maintain a balance between rights and responsibilities, Botswana

has signed, acceded to and ratified the following core international human rights instruments:

- International Covenant on Civil and Political Rights (ratification in 2000)
- International Convention on the Elimination of All Forms of Racial Discrimination (accession in 1974)
- Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (ratification in 2000)
- Convention on the Elimination of All Forms of Discrimination against Women (accession in 1996)
- Convention on the Rights of the Child (accession in 1995)
- Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography (accession in 2003)
- Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict (ratification in 2004)
- Amendment to the Convention on the Rights of the Child (article 43, paragraph 2) (acceptance in 2002)
- African Charter on Human and Peoples' Rights (ratification in 1986)
- African Charter on the Rights and Welfare of the Child (ratification in 2001)
- Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime (ratification in 2002)
- Protocol to the African Charter on Human and Peoples' Rights on the Establishment of an African Court on Human and Peoples' Rights (signed in 1998)

10. Having actively participated in the multilateral negotiations on institution-building, which culminated in the establishment of the Human Rights Council, Botswana undertakes to work constructively with other members of the international community in ensuring the efficiency and effectiveness of the Human Rights Council.

11. Botswana is fully committed to the innovative initiative of the universal periodic review within the Human Rights Council, and will continue to engage constructively and objectively in its work.

12. In December 2008, Botswana appeared before the Working Group on the Universal Periodic Review, at which it engaged constructively and objectively in an exercise to review and enhance its situation of human rights.

13. In March 2009, the Human Rights Council adopted the outcome document from Botswana's universal periodic review process, containing the Government's commitments to fulfilling its human rights obligations at all levels.

14. Botswana fully supports the system of special procedures of the United Nations human rights system and is committed to cooperating with the respective special mechanisms:

- In 2005 the Special Rapporteur on the right to education undertook a country visit to Botswana which the Government of Botswana facilitated
- Botswana hosted the Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people on a country visit in March 2009

15. In addition, Botswana pledges to cooperate fully with treaty bodies and participate actively in the discussions on the reform of the treaty bodies for a more effective human rights monitoring system.

Domestic commitments

16. Botswana will continue to enhance its efforts to ensure that all the existing national mechanisms for the promotion and protection of human rights and fundamental freedoms are strengthened.

17. Botswana remains committed to the creation of an umbrella national human rights institution, in line with the Paris Principles, in accordance with its pledges made under the universal periodic review mechanism.

18. Botswana will continue to fully implement its human rights obligations and commitments, including those emanating from its universal periodic review recommendations.

19. Botswana will continue to promote genuine and active dialogue with civil society in the area of promotion and protection of human rights.

20. Botswana will continue to cooperate fully with all treaty bodies, including through meeting its reporting obligations to such bodies.

21. Botswana is committed to continuing its ongoing domestic legislative reform, as well as harmonizing national legislation with international commitments.

22. In pursuit of its National Vision 2016 and the United Nations Millennium Development Goals, Botswana will continue to implement programmes and initiatives intended to advance the promotion and protection of human rights for its citizens.

23. Botswana will continue to fully implement its policies and programmes on gender mainstreaming through, inter alia, the national gender action plan, developed in line with the Beijing Declaration and Platform for Action.

24. Botswana will continue its efforts to advance the rights and empowerment of women, particularly within the framework of the national policy on women in development and UN-Women.

At the level of the Human Rights Council

25. Botswana reaffirms its commitment to contribute positively to the work and institutional development of the Human Rights Council so as to ensure that it remains a credible and efficient institution that can spur international cooperation in the promotion and protection of human rights.

26. Botswana is committed to engaging constructively in the ongoing debate on the reform of the special procedures of the human rights machinery of the United Nations to ensure that they maintain the highest standards for the furtherance of the ideals of non-selectivity and impartiality of the Human Rights Council in the discharge of its mandate.

27. Botswana will pursue an open and transparent approach, underpinned by the true spirit of bilateral, plurilateral and multilateral dialogue, as a means to advancing the work of the Human Rights Council.

28. Botswana will continue to contribute constructively to the further strengthening of the universal periodic review process, as part of the institution-building package of the Human Rights Council.

29. Botswana undertakes to continue to contribute to the work of the Human Rights Council in the implementation of civil, political, economic, social and cultural rights, including the right to development.

30. Botswana will cooperate fully with existing and future special procedures of the Human Rights Council within the framework of their respective mandates and the Code of Conduct.

30 December 2010

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Elections to fill vacancies in subsidiary organs and other elections: election of fifteen members of the Human Rights Council

Note verbale dated 11 February 2011 from the Permanent Mission of Italy to the United Nations addressed to the Secretariat

The Permanent Mission of Italy to the United Nations presents its compliments to the Secretariat and, with reference to Italy's candidature to the Human Rights Council for the term 2011-2014, in accordance with General Assembly resolution 60/251, has the honour to enclose herewith the voluntary pledges and commitments of the Government of Italy to the promotion and protection of human rights (see annex).

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Annex to the note verbale dated 11 February 2011 from the Permanent Mission of Italy to the United Nations addressed to the Secretariat

The candidature of Italy to the Human Rights Council, 2011-2014: voluntary pledges and commitments

Introduction

1. After completing its first term from 2007 to 2010, Italy has decided to present its candidature to the Human Rights Council for the 2011-2014 period. Election to this important body would enable Italy to contribute more directly to the Council's activities and to its key role in the promotion and protection of human rights worldwide.

2. As a member of the Human Rights Council, and in keeping with the voluntary pledges and commitments undertaken upon the presentation of our candidature in 2007, Italy has worked to strengthen the United Nations human rights system in close cooperation with treaty bodies, special procedures and the pertinent United Nations agencies and offices, including the Office of the High Commissioner for Human Rights. We are committed to fostering the protection of human rights also in the regional framework and actively support the efforts in this field by the Council of Europe, the European Union and the Organization for Security and Cooperation in Europe (OSCE).

3. Italy has a long tradition of promoting and protecting human rights. At the international level, we believe human rights play a crucial role in guaranteeing peace, preventing conflicts and fostering the growth of stable and democratic societies. In a national capacity and as a European Union member, we strongly support the promotion of human rights worldwide. The most effective defence of human rights is through dialogue with all States and cooperation in multilateral forums, particularly the United Nations, in keeping with the principles of universality, impartiality and objectivity.

4. Italy has a productive collaboration with the United Nations High Commissioner for Human Rights, and cooperates fully with the special procedures of the Human Rights Council, to which it has issued a standing invitation. We have provided the necessary arrangements for the following visits to Italy: independence of judges and lawyers (2002); human rights of migrants (2004); freedom of expression (2004); racism (2006); and arbitrary detention (2008). Italy also received visits from the independent institutions of regional organizations such as the Commissioner for Human Rights of the Council of Europe (2004, 2008, 2009), the European Committee for the Prevention of Torture (2004, 2006, 2008, 2009), the European Commission against Racism and Intolerance (2005 and 2010), the OSCE Representative on Freedom of the Media (2005), the OSCE Office for Democratic Institutions and Human Rights and the OSCE High Commissioner on National Minorities (2008), and OSCE election assessment missions (2006, 2008).

5. Italy submits in a timely and thorough manner its periodic reports to the treaty bodies of the United Nations on the implementation of its obligations under international law. Italy has ratified all the core human rights treaties, accepting the extensive international obligations associated with the protection and promotion of human rights.

6. The treaties Italy has ratified are: Convention on the Prevention and Punishment of the Crime of Genocide (1952); Convention relating to the Status of Refugees (1954) and its Protocol (1972); International Covenant on Economic, Social and Cultural Rights (1978); International Covenant on Civil and Political Rights (1978) and its First Optional Protocol (1978) and Second Optional Protocol (1995); International Convention on the Elimination of All Forms of Racial Discrimination (ratified on 5 January 1976); Convention on the Elimination of All Forms of Discrimination against Women (1985) and its Optional Protocol (2000); Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (1989); Convention on the Rights of the Child (1991) and its Optional Protocols on the sale of children and on children in armed conflict (2002); Rome Statute of the International Criminal Court (1999); Convention on the Rights of Persons with Disabilities and its Optional Protocol (2009). In addition, Italy has accepted the individual complaints mechanism stipulated in the Committee on the Elimination of Racial Discrimination and the Convention against Torture and in the Optional Protocols to the International Covenant on Civil and Political Rights, the Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Rights of Persons with Disabilities.

7. Italy has been a strong supporter of international criminal justice and was the host, in 1998, of the United Nations conference whose proceedings led to the adoption of the Rome Statute establishing the International Criminal Court.

8. We also placed our signature on three other major agreements: the Optional Protocol to the Convention against Torture (2003); the International Convention for the Protection of All Persons from Enforced Disappearance (2007); and the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (2009). Domestic procedures for the ratification of the first two treaties have been initiated, consistent with our pledges as a member of the Human Rights Council.

9. At the regional level, Italy has ratified several human rights treaties. These include the European Convention for the Protection of Human Rights and Fundamental Freedoms and its Protocols, the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment and its Protocols, the European Convention on the Exercise of Children's Rights and the European Social Charter. Italy fully recognizes the jurisdiction of the European Court of Human Rights.

10. As a founding member of the European Union, Italy has been fully committed to European integration from the start and deeply involved in the process of its institutional reforms. These include the drafting of the Charter of Fundamental Rights of the European Union, which sets out in a single text the full range of civil, political, economic and social rights of all European citizens and residents. With the entry into force of the Lisbon Treaty, the Charter has become legally binding.

Voluntary pledges and commitments pursuant to General Assembly resolution 60/251

11. In accordance with General Assembly resolution 60/251, Italy hereby presents a set of voluntary pledges and commitments in the field of human rights.

12. Italy is the sixth largest contributor to the regular budget and to the peacekeeping budget of the United Nations. On a voluntary basis, it provides

significant financial support to a broad array of United Nations activities. Our human rights commitment is focused on increasing the effectiveness of the United Nations, particularly the Human Rights Council, the Office of the High Commissioner for Human Rights and other major United Nations agencies and programmes.

13. In this framework, we will:

(a) Work constructively with and within the Human Rights Council and other bodies and mechanisms that have been or will be established under it;

(b) Encourage States with a strong human rights record to run for membership in the Human Rights Council;

(c) Support the work of the special procedures established by the Human Rights Council, including active participation in "interactive dialogues" with them;

(d) Devote every effort to improving the effectiveness of the universal periodic review process, in which Italy has participated since its establishment, in a spirit of constructive engagement and dialogue with States under review;

(e) Combat impunity, inter alia by promoting ratification of the Statute of the International Criminal Court;

(f) Promote initiatives in human rights education and training within the Human Rights Council's agenda, including the adoption of a United Nations declaration on the matter and implementation of the World Programme for Human Rights Education;

(g) Continue to support the office of the Special Adviser to the Secretary-General on the Prevention of Genocide, with a focus on the early warning of massive and serious violations of human rights.

14. Discrimination on the basis of religion or belief is a major human rights violation wherever it occurs. The promotion of freedom of religion or belief and the protection of religious minorities are key priorities of Italy's human rights foreign policy.

15. Consistent with this commitment, Italy will:

(a) Support initiatives at the international and regional levels to combat religious intolerance and assure adequate protection for all religion minorities;

(b) Support the work of the Special Rapporteur on freedom of religion or belief;

(c) Support initiatives by the Alliance of Civilizations to foster interreligious and intercultural dialogue.

16. A sustained effort is needed to eradicate racism, racial discrimination, xenophobia and related forms of intolerance. The best way to combat discriminatory attitudes and behaviour is through laws, education and dialogue among cultures. Italy will thus:

(a) Implement specific legislation to counter expressions of racism and xenophobia, including the dissemination of racial or ethnic hatred and incitement to commit discriminatory acts of violence on racial, ethnic or religious grounds;

(b) Update its national action plan against racism, adopted in 2006, in line with the requirements defined by the United Nations system;

(c) Support initiatives and resolutions presented to the Human Rights Council to prevent and combat racism, racial discrimination and related forms of intolerance and xenophobia;

(d) Promote ambitious educational measures to help eradicate all forms of discrimination.

17. Violence against women is a grave and widespread human rights violation that affects countless women and obstructs the achievement of equality, development and peace. Italy played an active role in the approval of Security Council resolution 1820 (2008) on sexual violence in conflict situations and is about to launch its national action plan on Security Council resolution 1325 (2000), to enhance the coordination and consistency of all its activities related to women and peace and security. In 2009, during our presidency of the Group of Eight, we organized an international conference on the various forms and manifestations of violence against women, including domestic violence, rape and stalking. A component of these efforts is initiatives to stop female genital mutilation: Italy is working with concerned States to raise international awareness and is contributing to the programmes of the United Nations Children's Fund and the United Nations Population Fund to promote the abandonment of this practice. Italy is currently Vice-President of the bureau of the Commission on the Status of Women. Along these lines, Italy will:

(a) Confirm and increase its commitment to implement laws and policies in the field of women's rights to prevent and combat violence against women in all its forms, including domestic violence, rape and stalking;

(b) Support international initiatives, together with other regional groups and countries, in particular within the United Nations framework, to promote the complete abandonment of the practice of female genital mutilation wherever it occurs.

18. Italy attaches the utmost priority to the rights of the child. The international protection of children is an essential component of several Italian initiatives — including our active support for recent resolutions adopted by the General Assembly and the Human Rights Council — and bilateral development programmes. We dedicate special attention to actions concerning children involved in armed conflict.

19. During our term on the Security Council, we constantly advocated the inclusion of specific child-protection provisions in the mandates of United Nations peacekeeping missions. Italy is a member of the Group of Friends on children and armed conflict, which brings together States committed to advancing this issue at the United Nations, and contributes to an important training project of the Department of Peacekeeping Operations in this field. As a State party to the Convention on the Rights of the Child and its two Optional Protocols, Italy has dedicated special efforts to the fight against sexual crimes involving children and the protection of children from trafficking. In this framework, Italy will:

(a) Continue to support international initiatives and development programmes in favour of children;

(b) Continue to support initiatives and programmes for child soldiers and child victims of armed conflict;

(c) Combat child pornography, including on the Internet, and support child victims of violence, sexual abuse and trafficking.

20. We are committed to the promotion of the rights of persons with disabilities and have ratified the Convention on the Rights of Persons with Disabilities and its Optional Protocol. Italian law has been accordingly amended. Italian Development Cooperation has adopted new guidelines for mainstreaming the issue of disability in its international initiatives and specific attention is dedicated to the protection of persons with disabilities in emergency and post-conflict situations. Through a contribution to the World Bank, Italy is also supporting the work of the Global Partnership for Disability and Development. We will:

(a) Continue to promote implementation of the principles contained in the Convention and its Optional Protocol;

(b) Further support initiatives to promote the rights of persons with disabilities, in cooperation with United Nations agencies and other international organizations.

21. Italy is committed to promoting the abolishment of the death penalty worldwide and attaches the utmost importance to the establishment of a moratorium on the application of capital punishment. Italy will continue to advocate for the adoption of a universal moratorium on the use of the death penalty with a view to its complete abolition.

22. In the field of rule of law and promotion of democracy, Italy will:

(a) Continue to support electoral observation missions and follow-ups in countries throughout the world;

(b) Strengthen partnerships with Governments, parliaments and civil society to train officials from countries in post-conflict situations, particularly in the judicial sector.

23. Full respect of human rights is one of the cornerstones of Italian domestic and foreign policy in the field of counter-terrorism. In the United Nations context, Italy actively supports all initiatives aimed at promoting and implementing respect for fundamental freedoms in the struggle against terrorism. These include the review of the United Nations Global Counter-Terrorism Strategy, listing and delisting procedures of terrorist groups and individuals according to Security Council resolutions 1267 (1999) and 1373 (2001) and technical assistance through international offices and institutions such as the United Nations Office on Drugs and Crime.

24. Moreover, Italy has promoted a comprehensive debate on the fight against terrorism worldwide during its term as President of the Group of Eight in 2009, when a declaration on counter-terrorism was adopted at the Group of Eight summit in L'Aquila. Italy will continue to support the implementation of the United Nations Global Counter-Terrorism Strategy, paying special attention to its four pillars, and to assure that the fight against terrorism is grounded in the protection of human rights and the rule of law.

25. As a contracting party to all the main international legal instruments against human trafficking, Italy is fully committed to the fight against trafficking in human beings. One example of Italian-funded initiatives in this field is the handbook on direct assistance for victims of trafficking published by the International Organization for Migration. The Italian legal framework is victim-centred, human rights-oriented and gender- and child-sensitive, focusing on the legal protection of all victims and a greater involvement of non-governmental organizations and local communities. The crucial feature of this legislation is the special renewable residence permit issued to the victims of trafficking. Italy will continue to:

(a) Support projects to combat human trafficking in cooperation with the United Nations institutions and other international organizations that address this issue;

(b) Protect and assist the victims of human trafficking at the domestic and international levels.

26. To enhance the role of civil society in the formulation and implementation of human rights policy and programmes, several permanent consultative mechanisms have been created at the central and local levels. Italy will promote an ongoing, open dialogue with civil society organizations active in the promotion and protection of human rights, involving them in the drafting of actions and policies through permanent consultative mechanisms at the central and local levels.

27. We welcome the universal periodic review of Italy that took place in the Human Rights Council in February and June 2010, which gave an assessment of our domestic progress in the field of human rights.

28. The recommendations that were accepted at the end of the process (78 out of a total of 92) will help the Italian Parliament and Government to draw up a road map for their work in human rights and represent an incentive to deliver within a precise time frame. On the whole, the review will help to strengthen and improve our human rights policy.

29. In connection with its universal periodic review process, Italy confirms its willingness to implement in a timely manner all accepted recommendations, including those in important areas such as the fight against racism and racial discrimination, the situation of migrants and asylum-seekers, the treatment of the Roma and Sinti communities, the human rights of women and children, freedom of opinion and expression, independence of the judiciary and administration of justice, and the commitment to establish a national independent human rights institution in accordance with the Paris Principles.

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Administrative and budgetary aspects of the financing of the United Nations peacekeeping operations

Budget of the Office of Internal Oversight Services under the support account for peacekeeping operations for the period from 1 July 2011 to 30 June 2012

Report of the Independent Audit Advisory Committee

Summary

The present report contains the comments, advice and recommendations of the Independent Audit Advisory Committee on the budget of the Office of Internal Oversight Services under the support account for peacekeeping operations for the period from 1 July 2011 to 30 June 2012.

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I. Introduction

1. The Independent Audit Advisory Committee presents herein its comments, advice and recommendations to the General Assembly, through the Advisory Committee on Administrative and Budgetary Questions, on the budget of the Office of Internal Oversight Services (OIOS) under the support account for peacekeeping operations for the period from 1 July 2011 to 30 June 2012. The report is submitted in accordance with paragraphs 2 (c) and (d) of the Committee's terms of reference (General Assembly resolution 61/275, annex).

2. The Committee has a responsibility to examine the workplan of OIOS, taking into account the workplans of the other oversight bodies, with the Under-Secretary-General for Internal Oversight Services and to advise the Assembly thereon, to review the budget proposal of the Office, taking into account its workplan, and to make recommendations to the Assembly through the Advisory Committee on Administrative and Budgetary Questions. The Committee undertook its review of the OIOS work-planning process and the budget for OIOS under the support account for peacekeeping operations for the period from 1 July 2011 to 30 June 2012 during its twelfth session, which was held on 15 and 16 December 2010.

3. The Committee appreciates the efforts of the Office of Programme Planning, Budget and Accounts and OIOS in providing it with the relevant documents for its consideration. OIOS also provided supplementary information in response to various questions from the Committee.

II. Background

4. The proposed budget of OIOS under the support account for peacekeeping operations for the period from 1 July 2011 to 30 June 2012 is estimated at $26,085,200 (gross), which represents an increase of $1,073,600 (gross), or 4.3 per cent, over the prior year's approved budget of $25,011,600 (gross). The increase comes despite the fact that there was a decrease in the overall staffing requirements by four posts. The post-related costs increased by 3.1 per cent, from $14,561,000 to $15,000,600, and the non-post costs increased by 6.1 per cent, from $10,450,600 to $11,084,600. The increase in costs is associated with higher staff costs in peacekeeping missions resulting from the adoption by the General Assembly in December 2010 of resolution 65/247 on human resources management. The non-post cost increases are associated primarily with general temporary assistance and travel. Importantly, according to the preliminary figures, the Committee notes that OIOS did not use approximately 8 per cent of its approved fiscal 2009/10 support account budget and had used only 42 per cent of its fiscal 2010/11 budget during the first six months of the current fiscal year.

5. The proposed financial resources for OIOS for 2011/12 as compared with 2010/11 are provided in table 1.

Table 1
Financial resources

	Approved 2010/11	*Proposed 2011/12*	*Variance* (United States dollars)	*Variance* (Percentage)
Internal Audit Division	14 821.6	15 167.5	345.9	2
Inspection and Evaluation Division	765.0	1 011.1	246.1	32
Investigations Division	8 846.3	9 384.3	538.0	6
Executive Office	578.7	522.3	(56.4)	(10)
Total	**25 011.6**	**26 085.2**	**1 073.6**	**4.3**

Source: Office of Programme Planning, Budget and Accounts, Peacekeeping Financing Division.

6. The Committee recognizes that the consideration of the OIOS budget proposals with regard to the specific grade level of OIOS posts and requests for non-post resources is more appropriately within the remit of the Advisory Committee on Administrative and Budgetary Questions. The review, comments and advice of the Independent Audit Advisory Committee will therefore focus on the scope of its own terms of reference with respect to the work-planning and budgeting process of OIOS. In accordance with its terms of reference, the Committee will submit the present report to the General Assembly through the Advisory Committee on Administrative and Budgetary Questions. Arrangements will be made to interact with the Advisory Committee in March 2011 to discuss the contents of the report.

III. Comments of the Independent Audit Advisory Committee

A. Internal Audit Division

7. In the reports issued since its inception, the Committee has made a number of recommendations relating to the Internal Audit Division's work-planning and budgeting process. The recommendations have included the following:

(a) OIOS risk assessments for the purposes of work planning and budgeting should take into consideration the controls that management has put in place to mitigate risks in order not to overestimate the number of high-risk areas;

(b) The work-planning process should include consultation with management before and after the preparation of the OIOS workplan;

(c) OIOS should coordinate its workplans with the Board of Auditors and the Joint Inspection Unit before finalizing them to avoid duplication and to minimize the impact on management and staff in the Organization;

(d) OIOS should move from preparing its budget on an incremental basis to using its risk assessment framework to determine the level of resources that will be required to address the risks identified in the Organization;

(e) The Internal Audit Division should undertake a thorough review of its planning assumptions and estimates and recalculate its requirements, addressing the

issues identified by the Committee, before making proposals for additional posts in existing locations.

8. Furthermore, the Committee has always challenged OIOS to lead by example, especially with regard to the economical utilization of resources. This is particularly appropriate given the nature of OIOS and given that in view of the current global economic situation there may be constraints on the resources available for the Organization's substantive programmes.

9. The Internal Audit Division is the largest of the three divisions of OIOS and represents close to 58 per cent of the OIOS budget under the support account. A substantial portion of the Committee's deliberations and discussions was therefore devoted to the Division's workplan and budget.

10. OIOS has demonstrated progress in the implementation of the recommendations made by the Committee. The most significant change in the audit work-planning process for 2011/12 appears to be the Division's review of its planning assumptions and estimates of requirements and the consultations with management at the beginning and end of the planning process, as recommended by the Committee. OIOS has also implemented the Committee's recommendation to hold an annual work-planning meeting with the Board of Auditors and the Joint Inspection Unit in addition to the regular coordination and cooperation efforts.

11. Also in accordance with the Committee's recommendation, OIOS continues to use a risk-based workplan for the allocation of its budgetary resources. The Committee was informed that on the basis of a risk assessment, OIOS deemed it necessary to reduce the audit requirements in the United Nations Interim Administration Mission in Kosovo (UNMIK), the United Nations Mission in the Central African Republic and Chad (MINURCAT) and the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO), and at the same time to request the redeployment of three posts to the Regional Service Centre in Entebbe, Uganda, to focus on key controls related to the management of service centres.

12. The Committee was also informed that in preparing the present budget, the Division sought written input from management on areas of concern or high risk and suggestions for audit coverage. OIOS reported to the Committee that in selecting assignments for 2011/12 and beyond, the Division gave priority to:

(a) Use of the top risks model to assess, for each entity, the causes of risk exposure and the controls required to address them;

(b) The recent oversight activities that are relevant to the causes of risk and key risk controls and the identification of audit assignments to address any residual risk.

13. OIOS discussed the draft audit workplan with each programme manager and then provided the managers with the final version. The Committee was informed that the Division planned to undertake 151 audit assignments related to peacekeeping in the budget period (including 31 carried over from the previous period), compared with 135 during the previous period. OIOS has indicated that it will continue to consult with management during the period and, if required, will revise the workplan on the basis of emerging risks and priorities.

14. With respect to the planning assumptions and estimates for the determination of available days per auditor, the Committee noted a significant improvement based on one of its prior recommendations. Specifically, the number of available audit staff-days was increased for staff at all levels, especially for staff at the P-5 level with audit teams comprising more than five staff.

15. The OIOS audit workplan listed the planned assignments in order of priority and included an estimate of the days that would be required to complete each audit. OIOS also calculated the number of days available per year by category of staff (see table 2).

Table 2
Number of staff-days available annually (out of 260 workdays)

Category	*Regular duty stations*	*Peacekeeping missions*
P-5 with more than five staff	130	100
P-5 with five or fewer staff	140	120
Other Professionals and audit assistants	190	150

16. In summary, at each peacekeeping mission, auditors at the P-3 and P-4 levels and audit assistants are allocated to audits on the basis of 150 days per year; auditors at the P-5 level with audit teams comprising fewer than five staff were allocated at 120 days per year, and auditors at the P-5 level in missions where the audit team comprised more than five staff are allocated on the basis of 100 days per year. Using the current OIOS staffing table for the Internal Audit Division and the days available per staff member, OIOS calculates the total number of days available at each location.

17. The variance between the estimate by OIOS of the number of days required to undertake the planned audits and the total days available is presented by OIOS as the gap in capacity. On that basis, the Division, having sufficient capacity to execute the proposed workplan, decided to abolish four posts and to redeploy one post out of the Division (see table 3).

Table 3
Post reductions and redeployments requested by the Office of Internal Oversight Services in the current budget

		Grade				
Location	*Total*	*P-5*	*P-4*	*P-3*	*Field Service*	*National General Service*
MINURCAT	(4)	(1)	(1)	(1)	(1)	
UNMIK	(3)	(1)	(1)	—	—	(1)
MONUSCO	(1)				(1)	
Entebbe Regional Service Centre	3	1	1		1	
Inspection and Evaluation Division	1	1				
Total	**(4)**	**—**	**(1)**	**(1)**	**(1)**	**(1)**

18. In its report on the budget of OIOS under the support account for 2010/11 (A/64/652), the Committee acknowledged the efforts of OIOS to comply with the Institute of Internal Auditors' practice advisory on using the risk management process in internal audit planning and to modify its risk assessment framework to assess residual risk. Upon inspection of the audit workplan, the Committee noted that the planned audit assignments were based, to the extent possible, on an analysis of the inherent risk and the key controls needed to mitigate such risk. OIOS did not seem to articulate the residual risk that would form the basis of the audit assignments, but rather used its assessment of key controls as the basis. In its earlier submissions, OIOS acknowledged that a number of audits still needed to be undertaken before any adjustment could be made to the inherent risk and that a systematic assessment of residual risk could be based only on detailed audits conducted over a period of time. The Independent Audit Advisory Committee looks forward to a systematic assessment of residual risk in order to better assess the overall level of resources allocated to OIOS and to enhance the determination of audits within the available level of resources. The Committee is nevertheless pleased to note that OIOS has embarked on auditing the key controls that are in place so as to facilitate the identification of the residual risk.

19. With respect to risk categorization, the Committee is concerned that the new OIOS risk categories (using the top risks model), which is different from management's proposed approach to risk categorization, could create confusion. **The Committee therefore recommends that OIOS and management coordinate the risk categorization process so as to align the OIOS risk-based audit-planning process with the enterprise risk management framework that the administration has embarked on in order to avoid confusion among key stakeholders.**

20. **Acknowledging the fact that OIOS has taken into account most of the Committee's recommendations on the planning process for the preparation of its annual work programme contained in its previous report (A/64/652), the Committee sees merit in recommending the budget proposal for the Internal Audit Division as proposed, which includes:**

(a) **The net reduction of five posts (the abolition of 4 and the redeployment of 1 to the Inspection and Evaluation Division) owing to the closure or downsizing of missions;**

(b) **The redeployment of three posts from MINURCAT, UNMIK and MONUSCO to the Regional Service Centre at Entebbe.**

B. Inspection and Evaluation Division

21. The Inspection and Evaluation Division of OIOS presented its workplan for 2011/12 relating to peacekeeping operations to the Committee. The Division plans to focus on a meta-evaluation of peacekeeping activities, using information from available peacekeeping evaluations by OIOS and other actors, to generate systemic lessons for improving peacekeeping operations and to identify critical topics for future evaluation.

22. The Committee noted that the authorized staffing of the Division included two posts to conduct evaluations of peacekeeping programmes. The Division estimates that it would require one additional post to accomplish its plan.

23. The Committee reiterates its advice provided in respect of the prior budget of the Inspection and Evaluation Division that the in-depth nature of evaluations conducted by OIOS adds value to the Organization's peacekeeping programme.

24. **On the basis of the workplan proposed by the Division, the Committee recommends the redeployment of one P-5 post from the Internal Audit Division to the inspection and evaluation function to enable it to deliver the inspections and evaluations planned for the 2011/12 budget period.**

C. Investigations Division

25. The Committee notes the decision of the General Assembly in its resolution 63/287 to designate, as a pilot project, centres of investigation in Nairobi, Vienna and New York from 1 July 2009 to 30 June 2012 and its request that the Secretary-General and the Board of Auditors report on various aspects of the implementation of the project. Where relevant, the Committee will provide its comments and advice to the Assembly following the issuance of the pending reports.

26. With regard to the current operations of the Investigations Division, the Committee noted that as at 30 November 2010, the Division's vacancy rate for posts funded from the support account had improved from 44 per cent in the previous period to 33.3 per cent. OIOS provided supplementary information in this respect indicating that recruitment was in progress for 16 of the 18 vacant posts. In its previous report, the Committee reported a concern that OIOS had regarding disparities in the allocation of the support account posts vis-à-vis the distribution of the Division's caseload. Consequently, the Committee has noted two posts (D-1 and P-5) which, according to OIOS, the current operational requirements did not warrant filling. The Committee continues to be confident that the review of this area by the Board of Auditors, as requested by the Advisory Committee on Administrative and Budgetary Questions, will provide valuable information in this regard.

27. In its submission for the 2010/11 support account budget, the Investigations Division requested an additional General Service position to assist with preparation of investigation reports at Headquarters as part of the Division's Professional Practices Section. On the basis of additional information presented by the Division, the Committee subsequently recommended that the Advisory Committee on Administrative and Budgetary Questions give consideration to the request of OIOS.

28. **In view of paragraphs 37 and 38 of General Assembly resolution 63/287 regarding the restructuring of the Investigations Division, the pending reports requested by the Assembly in paragraphs 39 to 41 of the same resolution and the status of vacancies in the Division, the Committee continues to support the request to establish a general temporary assistance position in the Investigations Division in the current budget.**

IV. Conclusion

29. The members of the Independent Audit Advisory Committee respectfully present the present report containing its comments and recommendations for consideration by the Advisory Committee on Administrative and Budgetary Questions and the General Assembly.

(*Signed*) David M. **Walker**
Chair, Independent Audit Advisory Committee

(*Signed*) John F. S. **Muwanga**
Vice-Chair, Independent Audit Advisory Committee

(*Signed*) Vadim V. **Dubinkin**
Member, Independent Audit Advisory Committee

(*Signed*) Vinod **Rai**
Member, Independent Audit Advisory Committee

(*Signed*) Adrian P. **Strachan**
Member, Independent Audit Advisory Committee

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Letter dated 15 February 2011 from the Permanent Representative of the former Yugoslav Republic of Macedonia to the United Nations addressed to the Secretary-General

I have the honour to enclose a letter dated 14 February 2011 addressed to you by the Minister of Foreign Affairs of the Republic of Macedonia, Antonio Miloshoski (see annex). The letter responds to a letter addressed to you by the Minister of Foreign Affairs of the Hellenic Republic, Dimitris P. Droutsas, dated 12 November 2010, forwarded to you by way of a letter from the Permanent Representative of the Hellenic Republic to the United Nations, Anastassis Mitsialis, dated 21 December 2010 and circulated by you in document A/65/667-S/2010/672, dated 30 December 2010.

I should be grateful if the present letter and its annex could be circulated as a document of the General Assembly, under agenda item 117, and of the Security Council.

(*Signed*) Slobodan **Tashovski**
Permanent Representative

11-23722 (E) 220211

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Annex to the letter dated 15 February 2011 from the Permanent Representative of the former Yugoslav Republic of Macedonia addressed to the Secretary-General

I have the honour to address you with regard to the letter from H.E. Mr. Dimitris P. Droutsas, Minister for Foreign Affairs of the Hellenic Republic, dated 12 November 2010 (see A/65/667-S/2010/672, annex).

By way of introduction, I note the significant delay between the date of the letter (12 November 2010) and its circulation (the letter was forwarded to you by way of a letter from the Permanent Representative of the Hellenic Republic to the United Nations, Anastassis Mitsialis, dated 21 December 2010, and circulated by you on 30 December 2010).

The letter makes a number of factually and legally incorrect assertions concerning my country, to which I must respond. The first inaccurate claim is that the Republic of Macedonia has failed to negotiate in good faith to reach a solution concerning the difference over the name of my country. The second is that we are alleged to have engaged in practices of "antiquization" and "provocation", in breach of the Interim Accord signed between the Hellenic Republic and the Republic of Macedonia in 1995. The Republic of Macedonia strongly rejects both allegations, which are based on fundamental misrepresentations of fact and law.

With respect to the negotiations concerning the difference over the name of my country, the Republic of Macedonia has engaged actively and constructively in good faith negotiations since the adoption of Security Council resolution 817 (1993), through the mediation process led most recently by your Personal Envoy, Matthew Nimetz. In the course of those negotiations, the Republic of Macedonia accepted a number of proposals put forward by Mr. Nimetz as a basis for a solution, including the proposal of March 2008 of "Republic of Macedonia (Skopje)", which the Hellenic Republic regrettably rejected.

The acceptance of these proposals represented a departure by my country from its preferred position, with the aim of facilitating a mutually acceptable solution. In making these concessions we have sought to address Greek concerns, being guided by a spirit of goodwill and good-neighbourly relations. We have repeatedly reiterated our firm commitment to the negotiation process and our determination to resolve the difference that has arisen over the name. That is why Mr. Nimetz has commended us for our serious efforts in seeking to resolve the difference. As I reiterated to you last time when we exchanged views, we are eager to ensure that the stalled negotiation process is reinvigorated. We were thus very pleased at the scheduling of the recent meeting with your Personal Envoy, which took place in New York on 9 February, and we look forward to the next round of talks.

My country also demonstrated its strong commitment to developing and maintaining good-neighbourly relations with our Greek neighbour, through its participation in a series of high-level bilateral contacts with the Hellenic Republic over the past 16 months. These talks were rendered possible by a welcome change in Greek policy in 2009, permitting the resumption of such contacts. We have approached this parallel process, intended to facilitate the negotiations undertaken under your auspices, with good faith. In order to further develop mutual cooperation between our two countries, and to assist in developing a climate of good-neighbourliness conducive to resolving the difference over the name, the Republic

of Macedonia has in good faith proposed and retabled a number of initiatives intended to assist the advancement of bilateral relations. Macedonia remains hopeful that the Hellenic Republic will reconsider its initial negative response to those initiatives.

The Republic of Macedonia also remains hopeful that the Hellenic Republic will depart from its self-stated "non-negotiable" "red line" position of seeking unilaterally to impose its demands for "a compound name with a geographical qualifier for all uses and purposes". Indeed, the Hellenic Republic's approach to the mediation process envisages an obligation on the Republic of Macedonia to simply acquiesce to unilateral "non-negotiable" demands made by the Hellenic Republic. Yet a compromise and enduring solution to the difference will be reached only if account is taken of both parties' positions, as well as of the fundamental principles of international law, including respect for the integrity and equality of sovereign States.

The Hellenic Republic also has sought to impose its demands on the Republic of Macedonia through a strategy of actions intended to limit our Euro-Atlantic and European integration. Pursuant to this strategy, and with the purpose of seeking to pressure our country into accepting its demands in the name of negotiations, the Hellenic Republic objected to the admission of my country to North Atlantic Treaty Organization membership in 2008. That objection is currently the subject of a case before the International Court of Justice, where we seek, inter alia, a declaration that the Hellenic Republic has violated the letter and spirit of the Interim Accord of 1995.

With respect to the Hellenic Republic's second allegation, it is unclear in what sense "relief representations" constructed "as part of the 'Skopje 2014' plan" have any connection to the name negotiations. In any event, the Republic of Macedonia rejects the assertion that it has engaged in practices of "antiquization" or "provocation" in violation of the Interim Accord of 1995 in relation to "a series of relief representations", or otherwise. It also refutes in the strongest terms the misrepresentation made by the Hellenic Republic that the Republic of Macedonia "refuses to take any corrective actions" pursuant to article 7, paragraph 3, of the Interim Accord. The allegation made by the Hellenic Republic is based on a fundamental misrepresentation of the facts, and of the meaning of article 7, paragraph 2, and 7, paragraph 3, of the Interim Accord.

The facts of the matter are as follows:

On 1 November 2010 the Macedonian Ministry of Foreign Affairs received a note verbale from the Liaison Office of the Hellenic Republic in Skopje, alleging a violation by the Republic of Macedonia of article 7 of the Interim Accord in the form of "a series of relief representations of prominent Greek historical figures of Ancient Macedonia, such as the Vergina sun ... on the basis [sic] of the lion statues at the "Goce Delcev" road bridge in Skopje". The reconstruction of this bridge forms part of the "Skopje 2014" plan, referred to in the letter from the Hellenic Republic.

The Ministry of Foreign Affairs of the Republic of Macedonia, in keeping with its obligations under the Interim Accord, reviewed the matters raised by the Hellenic Republic and responded on 1 December 2010, informing the Hellenic Republic that the symbol formerly displayed on the Republic of Macedonia's national flag (termed

the "Vergina sun" by the Hellenic Republic) had been removed from the statues on the bridge in question. The note verbale read in material part as follows:

> "... In accordance with article 7, paragraph 3, of the Interim Accord and in the spirit of good-neighbourly relations, the Ministry is pleased to inform the Liaison Office of the Hellenic Republic that, subsequent to further investigations into the matters raised, it has taken action to ensure that the symbol formerly displayed on the national flag of the Republic of Macedonia will not appear on the completed lion statues at the Goce Delcev road bridge. As the Liaison Office of the Hellenic Republic may be aware, at the time this matter was raised with the Macedonian Foreign Ministry, and at the time the action by the Foreign Ministry was taken, the lion statues at the Goce Delcev road bridge were still under construction, and remain so to date ...".

As such, the allegation that my country "refuses to take any corrective actions" is plainly without foundation. It was erroneous on 12 November 2010 when the Minister of Foreign Affairs of the Hellenic Republic penned his letter to the United Nations: as of that date, the Republic of Macedonia had not yet responded to the Hellenic Republic's note verbale. And it was fundamentally misrepresentative of the facts on 21 December 2010 when it was forwarded to you for distribution: by that date, my country had responded by way of a reply note verbale, setting out the "corrective actions" of which the Hellenic Republic was aware.

This reply note verbale from the Ministry of Foreign Affairs of the Republic of Macedonia, dated 1 December 2010, refuted the Hellenic Republic's claim that "relief representations" of historical figures from the region are capable of constituting a breach of article 7 of the Interim Accord. It further invited the Hellenic Republic to explain the basis for such a claim:

> "... the Ministry of Foreign Affairs reiterates its position that artistic representations of important historic figures from the region, such as those which appear on the lions on the Goce Delcev bridge, are in no way inconsistent with the requirements of the 1995 Interim Accord. The Interim Accord does not and was never intended to curtail artistic expression, as the commitment undertaken by both Parties in article 9 makes clear. The Ministry once again expresses its hope that the Hellenic Republic does not seek to undermine the freedom of expression that is reflected in the right of artistic expression in either of our countries.
>
> Insofar as the Hellenic Republic asserts that the artistic depiction of historical figures is capable (1) of amounting to a breach of article 7 of the 1995 Interim Accord or (2) of engaging the provisions of article 7, paragraph 3, of the same accord, the Ministry of Foreign Affairs of the Republic of Macedonia reiterates its previous request — that remains unanswered — that the Hellenic Republic clarify the basis for that assertion ...".

It is unclear why the Hellenic Republic chose not to engage in dialogue conducive to the promotion of good-neighbourly relations, by responding to the questions raised in the Republic of Macedonia's note verbale. Instead, the Hellenic Republic sought to escalate the matter, by writing to you on the basis of a misperception of the facts and law. I regret very much this approach, which appears to be connected with the pending case before the International Court of Justice.

In closing, I wish to emphasize that my Government remains fully and firmly committed to all the undertakings enshrined in the 1995 Interim Accord, and to the United Nations negotiation process under your auspices relating to resolution of the name issue. We hope that the difference over the name can be brought to a swift and successful conclusion. The Republic of Macedonia remains ready and willing to reach a mutually acceptable resolution.

(*Signed*) Antonio **Miloshoski**